

Decision No. 28355

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Ethel Ryus, Alice Laughlin,
Alvin Johnson, Bernyce Spencer,
J.J. Northmore, Louis Nau,
Mrs. A. Diebold, C.J. Lippi,
and T. Meehan,

Complainants,

vs.

Mountain Avenue Water Company,

Defendant.

ORIGINAL

Case No. 3991.

V.H. Spencer, for himself and
other complainants.
Alice Laughlin, in propria persona.
A.R. Grinstead, for defendant.

BY THE COMMISSION:

O P I N I O N

In this proceeding Ethel Ryus and eight other consumers complain against the service being rendered by Mountain Avenue Water Company, owned and operated by N.M. Petersen at Fetters Springs, Sonoma County, California.

It is alleged that service rendered by the defendant water company is unsatisfactory; that the mains are exposed, resulting in the delivery of warm water during the summer months; that the water is dirty and contains foreign matter; and that pressures are low and insufficient. Request is made that the Sonoma Water and Irrigation Company be authorized to accept applications for service from consumers residing in complainants'

neighborhood and in the immediate vicinity thereof.

Defendant has entered a general denial of the above charges and asks that the matter be dismissed.

A public hearing in this matter was held before Examiner MacKall at Fetters Springs.

The evidence shows that the complainants are all residents of Agua Caliente Park Subdivision No. 2 and Block 4 of Sonoma Highlands Subdivision No. 1. Defendant also serves water in the adjoining tracts known as Sonoma Highlands and Woodleaf Park. The territory surrounding defendant's service area is supplied with water by the Sonoma Water and Irrigation Company, a public utility.

Defendant's principal source of supply is in a well situated on a small tract of land at the head of Mountain Avenue from which water is pumped into a 10,000-gallon redwood tank and transmitted through a 4-inch pipe line to the distribution system. It was admitted by the defendant that for a distance of some 170 feet from the tank the 4-inch main is laid on a trestle and exposed to the sun. It was also admitted that, in addition to several short sections of distribution main, 235 feet of the main on Buena Vista Avenue lie upon the surface of the ground. The exposure of this pipe is unnecessary and appears to be the result of negligence on the part of the operator for no unusual obstacles exist which would prevent trenching and the burying of the pipe. The 4-inch transmission main can be insulated and covered by boxing. Defendant will be required to remedy these conditions immediately.

Admittedly the water served consumers frequently has been highly discolored and contained algae and other foreign sub-

stances. The testimony clearly indicates that this condition arises from failure to clean the storage tank and flush the mains. Defendant will be directed to install necessary fixtures, gate valves and fittings on the tank and all dead-ended mains to permit proper cleaning and flushing thereof which hereafter shall be done at such times as may be required to eliminate the unsatisfactory conditions arising from these sources.

Pressure readings by gauge were taken at several points on the system by complainant J. J. Northmore and also by N. M. Petersen. No marked differences appear therein and the results are as follows:

<u>P R E M I S E S</u>	<u>Pressure in Pounds Per Square Inch</u>
Ethel Ryus-----	14
Albin Johnson-----	50
Alice Laughlin-----	42
J.J. Northmore-----	40
A. Diebold-----	30
C.J. Lippi-----	43
T. Meehan-----	42

The above readings all show reasonably adequate pressure conditions for the requirements of this system except that for the premises of Ethel Ryus which is wholly inadequate. The residence of this consumer is on a hill considerably higher than the premises of all the other consumers served by defendant. It is impossible for this utility to provide her with proper service without the installation of a booster pumping plant or construction of a storage tank at a higher elevation, neither of which is defendant willing to do. The Sonoma Water and Irrigation Company can provide this customer with satisfactory service from its system which already supplies several of her neighbors living on the same hill. In view of these facts, Miss Ryus may apply to the Sonoma Water and Irrigation Company for service and that utility

may accept such application with the understanding, however, that this permission does not authorize further invasion of defendant's service area.

O R D E R

Ethel Ryus, et al., having filed formal complaint against Mountain Avenue Water Company as entitled above, a public hearing having been held thereon, the matter having been submitted and the Commission now being fully advised in the premises,

IT IS HEREBY ORDERED that N.M. Petersen doing business under the fictitious firm name and style of Mountain Avenue Water Company be and he is hereby ordered and directed as follows:

1. To install within thirty (30) days from and after the date of this Order suitable fixtures and fittings to provide for the proper cleaning and flushing of all storage tanks and dead-ended water mains.
2. To clean and flush all such storage tanks and dead-ended mains not less than once every four months and at such additional times as water conditions may make such flushing and cleaning necessary.
3. To file a report with this Commission each time any of the said dead-ended mains and tanks are flushed and cleaned during the period extending from the date of this Order to and including the thirty-first day of December, 1936.
4. Within sixty (60) days from the date of this Order to properly insulate and box, in a manner satisfactory and subject to the written approval of this Commission, all parts of the 4-inch transmission main exposed to the heating action of the sun.
5. Within sixty (60) days from and after the date of this Order to lower to a depth of not less than eighteen inches and properly cover all exposed water distribution mains.

IT IS HEREBY FURTHER ORDERED that Ethel Ryus be and she is hereby authorized to apply to Sonoma Water and Irrigation Company for water service to her property now served by N.M. Petersen and said Sonoma Water and Irrigation Company is hereby authorized to supply the said property of Ethel Ryus upon the filing by her of proper application therefor with said company.

IT IS HEREBY FURTHER ORDERED that all other matters set forth in the complaint herein be and they are hereby dismissed.

For all other purposes, the effective date of this Order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 12th day of November, 1935.

Leon C. Whittell

M. H. Cunn

M. H. Cunn
Frank H. Cunn
Commissioners.